

FILED

MAR 10 2009

HEARING OFFICER OF THE
SUPREME COURT OF ARIZONA
BY MMW

**BEFORE A HEARING OFFICER OF
THE SUPREME COURT OF ARIZONA**

IN THE MATTER OF A MEMBER
OF THE STATE BAR OF ARIZONA,

CORNELIA WALLIS HONCHAR,
Bar No. 019825

RESPONDENT.

No. 07-1522, 07-1936

ORDER

This Hearing Officer having filed a Report in the above-captioned matter, a copy of that Report having been served upon Respondent's Counsel and the State Bar, and no objections to the Report or the recommendation of probation and costs having been filed,

IT IS HEREBY ORDERED:

Pursuant to Rule 60(a)5, Ariz. R. Sup. Ct., Respondent, **CORNELIA WALLIS HONCHAR**, shall be placed on probation, which will begin to run at the time of this Order, for not less than one year nor more than two years from the date that all parties have signed the "Terms and Conditions of Probation", under the following terms and conditions:

- 1.) Respondent's participation in the Member Assistance Program ("MAP");
- 2.) Respondent shall not accept any clients for representation in domestic relations or Family Court;
- 3.) Respondent shall be responsible for the payment of costs and expenses of the disciplinary proceedings, as evidenced by the Statement of Costs and Expenses found in the Tender of Admissions and Agreement for Discipline by Consent, as well as the Disciplinary Clerk's Statement of Costs¹, totaling \$1,110.00.

¹ Disciplinary Clerk's Statement of Costs is attached as Exhibit A.

1 4.) Respondent shall contact the director of the State Bar's Membership
2 Assistance Program within 30 days of the date of this Order. The MAP director shall
3 determine the specific "Terms and Conditions of Probation" but at a minimum shall
4 require the following:

5 a.) Respondent shall undergo a MAP assessment to evaluate her physical,
6 mental and/or emotional fitness to practice law;

7 b.) The MAP director shall have the discretion to accept an evaluation or
8 evaluations similar to a MAP assessment from Respondent's own healthcare
9 providers.

10 c.) Respondent shall abide by the MAP director's recommendations and
11 instructions including, but not limited to, any periodic reporting the
12 MAP director deems appropriate;

13 d.) The MAP director shall have the discretion to accept periodic reporting
14 from Respondent and/or her healthcare providers at intervals the
15 MAP director deems appropriate;

16 e.) The MAP director shall have the authority to consult with Respondent's
17 healthcare providers regarding any treatment regimen they prescribe;

18 f.) Respondent shall furnish whatever confidential or private information
19 releases and/or authorizations the MAP director requires in order
20 to effectuate the foregoing provisions.
21

22 5.) The MAP director shall have the discretion to recommend termination of
23 Respondent's Probation after one year should he determine that Respondent's
24 continued participation with a MAP is no longer necessary;
25

1 6.) Respondent is responsible for any costs associated with MAP participation;
2 7.) Respondent shall refrain from engaging in any conduct that would violate the
3 Rules of Professional Conduct or other rules of the Supreme Court of Arizona;
4 8.) In the event that Respondent fails to comply with any of the foregoing
5 probation terms, and the State Bar of Arizona receives information thereof, Bar
6 Counsel shall file a Notice of Non-Compliance with the imposing entity
7 pursuant to Rule 60(a)(5), Ariz.R.Sup.Ct. The imposing entity may refer the
8 matter to a Hearing Officer to conduct a hearing at the earliest practicable date,
9 but in no event later than 30 days following the receipt of notice, to determine
10 whether a term of probation has been breached and, if so, to recommend an
11 appropriate sanction. If there is an allegation that Respondent failed to comply
12 with any of the foregoing terms, the burden of proof shall be on the State Bar of
13 Arizona to prove non-compliance by clear and convincing evidence.
14

15
16 DATED this 10th day of March, 2009.

17
18 Hon. H. Jeffrey Coker/NM
19 Honorable H. Jeffrey Coker
20 Hearing Officer 6R
21

22 Original filed with the Disciplinary Clerk
23 this 10th day of March, 2009.
24
25

Copy of the foregoing mailed
this 10th day of March, 2009, to:

Thomas A. Zlaket
Respondent's Counsel
Thomas A. Zlaket, P.L.L.C.
310 S. Williams Blvd, Suite 170
Tucson, AZ 85711

Copy of the foregoing hand-delivered
this 10th day of March, 2009, to:

David Sandweiss
Bar Counsel
State Bar of Arizona
4201 North 24th Street, Suite 200
Phoenix, AZ 85016-6288

by: Neeta Mane/Kar